

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 2:18-cr-20429-MSN

MARTEZ WRIGHT,

Defendant.

**ORDER ADOPTING THE MAGISTRATE JUDGE’S SEALED REPORT AND
RECOMMENDATION AND ORDER DENYING DEFENDANT’S MOTION TO
SUPPRESS**

Before the Court is the Magistrate Judge’s Sealed Report and Recommendation (the “Report”), entered on June 25, 2021.¹ (ECF No. 159.) The United States of America filed its Notice Regarding the Report and Recommendation on July 9, 2021. (ECF No. 160.) To date, Defendant has not filed any objections to the Report. As such, for the reasons below, the Court **ADOPTS** the Report in its entirety and **DENIES** Defendant’s Motion to Suppress. (ECF Nos. 145 and 153.)

Background

After seeking an extension of time from the Court, Defendant filed a motion to suppress on April 14, 2021. (ECF No. 145.) That motion was then referred to the Magistrate Judge for report and recommendation. (ECF No. 147.) The Magistrate Judge choose to forgo a hearing on

1. The Magistrate Judge filed her Report under seal because it addressed challenges to sealed Title III orders and the affidavits used to obtain them.

the motion and issued her Report on June 25, 2021. (ECF No. 159 at PageID 475 n. 2.) The Report recommends that Defendant's motion be denied. (*Id.* at PageID 475.)

The Report instructed that a party's objections must be filed within fourteen (14) days. (*Id.* at PageID 507.) The parties received electronic notice of the Magistrate Judge's sealed Report on June 25, 2021. The Magistrate Judge also provided a copy of the sealed Report to both parties that same day. Finally, the United States filed its Notice regarding the sealed Report on July 9, 2021. To date, Defendant has not filed any objection to the Report.

Standard of Review

A district court has the authority to "designate a magistrate judge to conduct hearings, including evidentiary hearings, and to submit to a judge of the court proposed findings of fact and recommendations for the disposition, by a judge of the court, of any motion." 28 U.S.C. § 636(b)(1)(B). The district court has appellate jurisdiction over any decisions the magistrate judge issues pursuant to such a referral. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(a).

The standard of review the district court applies depends on the nature of the matter considered by the magistrate judge. "[U]pon proper objection by a party, a district court must review *de novo* a magistrate judge's ruling on a motion to suppress." *United States v. Quinney*, 238 F. App'x 150, 152 (6th Cir. 2007) (citing 28 U.S.C. § 636(b)(1)); *United States v. Curtis*, 237 F.3d 598, 603 (6th Cir. 2001)). The Court need not review—under a *de novo* or any other standard—those aspects of a report and recommendation to which no objection is made. *Thomas v. Arn*, 474 U.S. 140, 150–52 (1985). Objections to any part of a magistrate judge's disposition "must be clear enough to enable the district court to discern those issues that are dispositive and contentious." *Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995); *see also Arn*, 474 U.S. at 147 (stating that the purpose of the rule is to "focus attention on those issues . . . that are at the heart of

the parties' dispute.”). A general, frivolous, or conclusory objection will be treated as if no objection had been made. *Howard v. Sec'y of Health & Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991); *see also Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986) (“[T]he district court need not provide *de novo* review where the objections are ‘[f]rivolous, conclusive or general.’” (internal quotation marks omitted)).

Analysis

As noted above, Defendant has not filed any objections to the Report. The Court is not obligated to review aspects of the report in which no objection was raised. *Thomas*, 474 U.S. at 150–52; *see also Quinney*, 238 F. App'x at 152. However, the Court has reviewed the Report for clear error and finds none. Accordingly, the Court **ADOPTS** the Report in its entirety and **DENIES** Defendant's motion to suppress.

IT IS SO ORDERED, this 3rd day of August, 2021.

s/ Mark Norris

MARK S. NORRIS

UNITED STATES DISTRICT JUDGE